

**SUPREME COURT MINUTES  
TUESDAY, MAY 24, 2011  
SAN FRANCISCO, CALIFORNIA**

**S183703**      G040798 Fourth Appellate District, Div. 3      **PARKS (ALLAN) v. MBNA  
AMERICA BANK N.A.**

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file the answer to amicus curiae briefs is extended to August 9, 2011.

**S185961**      C063661 Third Appellate District      **PEOPLE v. STANLEY  
(LEROY)**

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file the reply brief on the merits is extended to June 30, 2011.

**S186707**      G040641 Fourth Appellate District, Div. 3      **PEOPLE v. SCHMITZ  
(DOUGLAS)**

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file the answer brief on the merits is extended to June 10, 2011.

**S192236**      **LUCAS (CHRISTOPHER) v.  
S.C. (PEOPLE)**

Transferred to Court of Appeal, Second Appellate District

The above-entitled matter is transferred to the Court of Appeal, Second Appellate District, Division Six, for consideration in light of *Hagan v. Superior Court* (1962) 57 Cal.2d 767. In the event the Court of Appeal determines that this petition is substantially identical to a prior petitioner, the repetitious petition must be denied.

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The Supreme Court of California convened in the courtroom of the Earl Warren Building, 350 McAllister Street, Fourth Floor, San Francisco, California, on Tuesday, May 24, 2011, at 9:00 a.m.

Present: Chief Justice Tani Cantil-Sakauye, presiding, and Associate Justices Kennard, Baxter, Werdegarr, Chin, and Corrigan.

**NOTE:** In light of the current vacancy on the California Supreme Court, a different justice of the Court of Appeal has been assigned to participate in each case scheduled for argument, pursuant to the court's established alphabetical rotation procedure.

Officers present: Frederick K. Ohlrich, Clerk, and Gail Gray, Calendar Coordinator.

The Honorable Joan Dempsey Klein, Presiding Justice, Court of Appeal, Second Appellate District, Division Three, sitting on the following case under assignment by the Chairperson of the Judicial Council, joined the court at the bench.

S179115

Rebecca Howell, Plaintiff and Appellant,

v.

Hamilton Meats & Provisions, Inc., Defendant and Respondent.

Cause called. Robert Tyson argued for Respondent.

Robert Olson argued for Amicus Curiae Association of Southern California Defense Counsel.

Gary L. Simms argued for Appellant.

Mr. Tyson replied.

Cause submitted.

Justice Klein, not participating in consideration of the following case, will not join the bench.

The Honorable Patti S. Kitching, Associate Justice, Court of Appeal, Second Appellate District, Division Three, sitting on the following case under assignment by the Chairperson of the Judicial Council, joined the court at the bench.

S160211                      Voices of the Wetlands, Plaintiff and Appellant,  
   v.  
   California State Water Resources Control Board, Defendant and  
   Appellant;  
   Duke Energy Moss Landing LLC et al., Real Parties in Interest.

Cause called. Deborah Sivas argued for Appellant Voices of the Wetlands.  
Anita Ruud, Office of the Attorney General, argued for Appellant California State Water Resources Control Board.  
Sarah Flanagan argued for Dynegy Moss Landing, LLC.  
Real Parties in Interest.

Ms. Sivas replied.  
Cause submitted.

Justice Kitching, not participating in consideration of the following case, will not join the bench.

The Honorable Paul Turner, Presiding Justice, Court of Appeal, Second Appellate District, Division Five, sitting on the following case under assignment by the Chairperson of the Judicial Council, joined the court at the bench.

S077166                      The People, Respondent,  
   v.  
   Crandell McKinnon, Appellant.

Cause called. C. Delaine Renard, Office of the State Public Defender, appointed Counsel, argued for Appellant.  
Robin Derman, Office of the Attorney General, argued for Respondent.

Ms. Renard replied.  
Cause submitted.

Court recessed until 1:30 p.m. this date.

Court reconvened pursuant to recess.

Members of the court and officers present as first shown.

Justice Turner, not participating in consideration of the following case, will not join the bench.

The Honorable James R. Lambden, Associate Justice, Court of Appeal, First Appellate District, Division Two, sitting on the following case under assignment by the Chairperson of the Judicial Council, joined the court at the bench.

S179194 Christine L. Baker, as Acting Director, etc., Petitioner,  
v.  
Workers' Compensation Appeals Board, Respondent;  
XYZZX SJO2, Respondent.

Cause called. Anthony Mischel, Department of Industrial Relations,  
argued for Petitioner.  
Ellen Sims Langille argued for Amicus Curiae California Chamber of  
Commerce.  
Arthur L. Johnson argued for Respondent XYZZX SJO2.  
Marc G. Marcus argued for Amicus Curiae California Applicant's  
Attorneys Association.

Mr. Mischel replied.  
Cause submitted.

Justice Lambden, not participating in consideration of the following case, will not join the bench.

The Honorable Laurie D. Zelon, Associate Justice, Court of Appeal, Second Appellate District, Division Seven, sitting on the following case under assignment by the Chairperson of the Judicial Council, joined the court at the bench.

S179422 The People, Plaintiff and Respondent,  
v.  
Eddie Jason Lowery, Defendant and Appellant.

Cause called. William D. Farber, Court-appointed Counsel, argued  
for Appellant.

Christine Levingston Bergman, Office of the Attorney General,  
argued for Respondent.

Mr. Farber replied.  
Cause submitted.

Justice Zelon, not participating in consideration of the following case, will not join the bench.

The Honorable Frank Y. Jackson, Associate Justice, Court of Appeal, Second Appellate District, Division Seven, sitting on the following case under assignment by the Chairperson of the Judicial Council, joined the court at the bench.

S174507

Estuardo Ardon, Plaintiff and Appellant,  
v.  
City of Los Angeles, Defendant and Respondent.

Cause called. Francis M. Gregorek argued for Appellant.  
Sandra J. Levin argued for Respondent.

Mr. Gregorek replied.  
Cause submitted.

Court recessed until Wednesday, May 25, 2011, at 9:00 a.m.

